

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – T & A Dept.- Warangal Dist. – Irregular passing of arrear bills presented by the Principal, Government Junior College, Nllikudur, Warangal and other irregularities – Disciplinary proceedings initiated under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 against Sri R. Rama Swamy, the then S.T.O. and presently S.T.O. (Retd.) O/o. Divisional Sub-Treasury, Mahabubabad, Warangal Dist. – Punishment of withholding of 5% cut in his pension permanently – Final Orders – Issued.

FINANCE (Admn.III) DEPARTMENT

G.O. Rt.. No. 3907

Dt.02 -11-2009

Read the following:

1. Letter. No. KII (6)/1325/2004, dt.27.02.2008 from the Director of Treasuries & Accounts, Hyderabad.
2. . D.T.A., Hyderabad Charge Memo. No. KII (6)/1325/2004-1 dt.02.11.2004
3. Representation of Sri R. Rama Swamy, S.T.O. dt.26.11.2004.
4. D.T.A., Hyderabad Proceedings No. KII (6)/1325/2004-2, dt.14.03.2005.
5. Lr.Rc.No.1325/DD,DT, GNT/A1, dt.31.12.2007 from Sri V. Sudhakar, the Inquiry Officer & Deputy Director, District Treasury, Guntur.
6. Govt. Memo. No. 421/64/A2-A/Admn.III/2008, dt. 11-3-2008, Finance (Admn.III) Dept.
7. Representation of the individual dt. 8-5-2008.
8. Govt. Memo. No. 421/64/A2-A/Admn.III/2008, dt. 17-12-2008, Finance (Admn.III) Dept.
9. Representation of the individual dt. 6-2-2009.
10. Govt. Lr. No. 421/64/A2/Admn.III/2008, dt. 27-4-2009 and 29-7-2009
11. Lr. No. 600/RT-I/1/2009, dt. 15-9-2009 from the Secretary, A.P. Public Service Commission, Hyderabad.

O R D E R:

In the reference 1st read above, the Director of Treasuries & Accounts, A.P. Hyderabad stated that an irregularity has been noticed at the Sub - Treasury, Mahaboobabad, Warangal District in the month of 9/2003 in passing three arrear bills for Rs.6,99,153/- of the Junior Lecturers against the Government orders, presented by the Principal, Government Junior College, Nellikur, Warangal District, in which Sri R. Rama Swamy, the then Sub-Treasury Officer, O/o Divisional Sub - Treasury, Mahaboobabad, Warangal District along with Sri M. Srinivasa Rao, Senior Accountant, District Treasury, Warangal were majorly involved.

2. In the reference 2nd read above, Disciplinary Proceedings under Rule 20 of APCS (CC & A) Rules, 1991 have been initiated against the charged officer by framing the following Charge:

“That the said Sri R. Rama Swamy, Sub-Treasury Officer in the month of 9/2003, while working as In – charge Assistant Treasury Officer, Divisional Sub - Treasury, Mahaboobabad, Warangal District has irregularly passed the three arrear bills for Rs. 6,99,153/- of the Junior Lecturers against the Government orders, presented by the Principal, Government Junior College, Nellikudur, Warangal without verifying the genuineness and admissibility of the claims and thereby caused loss to the Government exchequer.”

3. In the reference 3rd read above Sri R. Rama Swamy, Sub-Treasury Officer submitted his written statement of defence, wherein he has stated that the Principal, Govt. Junior college, Nellikudur has prepared 3 bills separately for each individual and presented at the Sub-Treasury, Mahabubabad. The (3) bills were returned by the regular A.T.O. on various reasons which includes the objection on admissibility of claims from 6/92 to 8/93 and 8/96. When the regular ATO of Divisional Sub-Treasury, Mahabubabad was deputed on O.D.for (3) days from 25-9-2003 to 27-9-2003, these the arrear bills of Part-time Junior Lecturers were presented at the Sub-Treasury, Mahabubabad for pre-

audit. Specific orders are issued in the proceedings by the Commissioner, Intermediate Education, Hyderabad to draw the salaries calculating on the minimum time scale of pay based on the actual days worked by the incumbents as part-time Junior Lecturers by taking classes. But there is no clear indication in the sanction proceedings, not to draw the arrears consequent on issue of the revised orders. When the regular ATO was absent, Sri M. Srinivas Rao, Auditor of Sub-Treasury, Mahabubabad in connivance of the D.D.Os. submitted the 3 bills afresh without mentioning the fact of return of the said bills unpassed by the regular ATO. (By contacting Sri Malyadri, DTO) on phone he passed the said bills as the Auditor forced him. As he was forced to pass the bills and he has requested to drop the charge framed against him.

4. In the reference 4th read above, not satisfied with the written statement of defence submitted by him, the Disciplinary Authority has ordered to conduct the regular inquiry by appointing Sri V. Sudhakar, the then Deputy Director, District Treasury, Khammam and presently Deputy Director, District Treasury, Guntur, to find out the truth into the charges framed against him.

5. In the reference 5th read above, the Enquiry Officer submitted his report wherein the charge framed against Sri R. Rama Swamy, S.T.O (Retd) was proved.

6. As Sri R. Rama Swamy, S.T.O was retired from service on attaining the age of superannuation i.e., on 31.07.2007. The Director of Treasuries & Accounts, Hyderabad has forwarded the disciplinary case to the Government vide reference 1st read above for taking further action.

7. In the reference 6th read above, under the Sub – Rule 21 of A.P.C.S. (C.C. & A) Rules, 1991 read with Rule 9 of APRP Rules, 1980, a copy of the Enquiry Report was furnished to Sri R. Rama Swamy, S.T.O (Retd), the then Sub-Treasury Officer, O/o Divisional Sub - Treasury, Mahaboobabad, Warangal District and he was directed to submit his representation to the Government through the Director of Treasuries & Accounts, Hyderabad,.

8. In the reference 7th read above, Sri R. Ramaswamy, S.T.O. (Retd.) has submitted his representation to the Enquiry Report.

9. After careful examination of the matter, Government have provisionally decided to impose the punishment of 5% cut in his pension permanently on Sri R. Ramaswamy, the then S.T.O. (Retd.), Sub-Treasury, Mahabubabad, Warangal Dist. and accordingly final show cause notice was issued to the individual under Rule 9 of A.P. Revised Pension Rules, 1980 vide reference 8th read above.

10. In the reference 9th read above, the individual submitted representation stating that the statement of the defence explanation submitted by him on 7-6-2005 holds good. It is evident that while enquiry the representation is not considered and intentionally avoided by the enquiry officer. He has also stated that the recoveries have already been effected on two Lectures and another Lecturer i.e., Sri T.V. Raghuram has been approached the A.P.A.T., Hyderabad and the A.P.A.T. was pleased to suspend the orders of the Commissioner of Intermediate Education issued for the recovery of the arrears paid to the Junior Lecturers of various Junior Colleges in the state and that the Commissioner of Intermediate Education has issued orders through his Procs. Dated 26-7-2007 to comply with the interim orders passed by the APAT, Hyderabad and to pay the eligible salaries to the Junior Lecturers for the period for which they worked pending outcome of the OAs./further orders. He has also furnished the copies of the orders of the Commissioner of College Education.

11. Government after careful examination, are not satisfied with the representation of the individual and observe that the recovery of the amounts from the concerned lecturers cannot absolve him of the charge and therefore in the reference 10th read above, the Government have addressed the A.P.P.S.C. for concurrence on the proposed punishment of withholding of 5% in his pension permanently against Sri R. Rama Swamy, S.T.O. (Retd.), O/o. Divisional Sub-Treasury, Mahaboobabad, Warangal Dist. and the A.P.P.S.C. has also agreed for the same vide the reference 11th read above.

12. Accordingly, Government hereby order for imposing the punishment of withholding of 5% of his pension permanently on Sri R. Rama Swamy, S.T.O. (Retd.), O/o. Divisional Sub-Treasury, Mahaboobabad, Warangal Dist, under Rule 9 of A.P. revised Pension rules, 1980.

13. The Director of Treasuries & Accounts, Hyderabad shall take necessary action accordingly and service this order on the individual and send the duplicate copy with his acknowledgement to the Government, at the earliest.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
SECRETARY TO GOVERNMENT (FP)

To
Sri R. Rama Swamy, S.T.O (Retd),
The then Sub-Treasury Officer, O/o Divisional Sub - Treasury,
Mahaboobabad, Warangal District.
(Through the Director of Treasuries & Accounts, A.P. Hyderabad)
Copy to: The Director of Treasuries & Accounts, A.P. Hyderabad.

// Forwarded :: By Order //

SECTION OFFICER